

**AGENDA
FOR THE MEETING OF THE
WATERSHED PROTECTION BOARD**

DATE: Thursday, April 19, 2001
TIME: 1:30 p.m.
PLACE: Kalanimoku Building
Land Board Conference Room 132
1151 Punchbowl Street
Honolulu, Hawaii 96813

1. Presentation of the working group's report dated April 19, 2001 and discussion of Act 152.
2. Discussion of future actions pursuant to the working group's report and Act 152.
3. Any other business.

Disabled individuals planning to attend the meeting are asked to contact the Commission on Water Resource Management at the above address or phone (Kauai) 274-3141 ext. 70214, (Maui) 984-2400 ext. 70214, (Hawaii) 974-4000 ext. 70214, (Molokai or Lanai) 1-800-GOV-INHI ext. 70214 or 587-0214 **at least three days in advance of the meeting** to indicate if they have special needs which require accommodation.

LIEUTENANT GOVERNOR'S
OFFICE

01 APR 11 P2:20

TESTIFIER'S SIGN-IN SHEET

PLEASE SIGN YOUR NAME ON THIS SHEET
IF YOU WISH TO TESTIFY

04/19/01

(DATE)

PLEASE PRINT!!!

NAME:

CO./AFFILIATION & ADDRESS:

ITEM #

✓ Dr SIM ANTHONY

H-LA; WWCA [PCA]

1

✓ Creighton Mattoon

Punaluu Community Assoc. P.O. Box 239, Honolulu, 96717

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✓ DANIEL CHINESE

WWCA 48-481 Kamehameha Hwy
Kaunohiwi 96744

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GUY

~~GUY~~ NAKAMOTO

1

MINUTES OF THE
WATERSHED PROTECTION BOARD

DATE: April 19, 2001
TIME: 1:30 p.m.
PLACE: DLNR Board Room
Kalanimoku Bldg.

Chair Linnel Nishioka called the first meeting of the Watershed Protection Board to order at 1:36 pm.

Board Members Linnel Nishioka, Deputy Director, Commission on Water Resource Management
James Nakatani, Director, Dept. of Agriculture
Ernest Lau, Kauai County, Dept. of Water
Ellen Kraftsow for David Craddick, Maui County Dept. of Water Supply
Roy Chagi, U.S. Army, Pacific Command
Barry Usagawa for Cliff Jamile, Honolulu Board of Water Supply

Excused: Glenn Ahuna for Milton Pavao, Hawaii County, Dept. of Water Supply

Staff: Mike Buck, Neal Fujii, Pat Costales, Randy Kennedy, Nelson Ayers, Faith Ching

Others: Paul Matsuo, Jim Anthony, Creighton Mattoon, Guy Nakamoto, David Chinen

Michael Buck, Administrator Division of Forestry and Wildlife did a presentation of the working group's accomplishments to date. He summarized in a power point presentation describing the history of forest watershed protection in Hawaii, anatomy and physiology of forest watersheds, threats to forest watersheds and worth of forest watersheds in Hawaii. He then summarized the working group's discussions and accomplishments following the requirements of Act 152 to have the Watershed Protection Board consider for approval of the draft Watershed Protection Master Plan.

A report to the legislature of the working group's accomplishments is due by June 30, 2001. The goal for the working group is to accomplish items 1 through 5 in Section 3 of Act 152.

Everyone agreed that the scope of work is enormous to accomplish the tasks within the time frame for this report. The working group decided to concentrate on achievable targets to establish priorities statewide. First, the working group focused on forested watershed recharge areas, more importantly for water use. The second is to consider using the ahupuaa (mountain to sea) approach for planning. Third, use a system of existing watershed partnerships as models for planning. Fourth, provide island maps to delineate areas outlining conservation districts, isohyets rainfall data, aquifer systems etc.

Mr. Buck continued his presentation by reviewing each of the 3 items as called for by Act 152. The working group did not fully discuss items number 4 and 5 in detail prior to the Watershed Protection Board meeting.

Following Mr. Buck's presentation, Barry Usagawa stated that the Board needs to assess ways of identifying the impacts made to watershed management areas. More importantly, the use of existing data and natural resource information for runoff and rainfall etc. and historical examples are needed.

Chair Nishioka then opened the meeting for public testimony. Dr. Jim Anthony, Executive Director of Hawaii Laieikawai Association began by presenting to the Board a document on watershed management from the State of California. Dr. Anthony said that it is the Board that makes the decision for Act 152 and not the working group. He also added that State Department of Agriculture and military representatives were not involved in the working group's discussions. For the record, he noted that Act 152 has no citizen representative on the Board. He stated that the working group report is poorly written and researched and his expertise can be of use to assist in writing the report, if called upon. He said that the Board must clearly state its guidelines and lay out the foundation for the Working group to follow. He insists that this has not been done. Planning should involve stewardship, partnerships and citizen base. He believes that he has the expertise to do the job. He has traveled to the mainland, hired consultants, worked with community groups and is available and competent to provide community input to this process.

Mr. Creighton Matoon of the Punaluu Community Association stated that the greater amount of data gathered would provide a better assessment for determining watershed management. He illustrated the importance of community involvement but time is short to accomplish the task. Mr. Matoon stated that developing partnerships and concentrating on potable water for watershed management by priority and ranking should be used.

Mr. Dave Chinen, Waiahole-Waikane Community Association (WWCA), testified in support of Dr. Anthony's testimony and added that State leases needs to be settled to balance agriculture uses with development.

Mr. Guy Nakamoto of WWCA said that he strongly supports Dr. Anthony's statement about government making decisions without public input. He felt that Dr. Anthony's input would tremendously assist the Board in the preparation for the legislative report.

A question was raised if the Board can extend report deadline. Chair Nishioka asked for a motion to go into executive session to consult with the Attorney General Office about this extension.

(MATSUO/LAU) At 3:25 pm the Board went into Executive Session.

The meeting was resumed at 3:53 pm.

Chair Nishioka stated that after conferring with the Attorney General's Office, it was advised that because this is an Act instead of a resolution, to extend the deadline, legislation should have been introduced this session. It is too late to do so. The report is due by June 30.

She asked the Board and audience that suggestions are welcomed for the June 30 deadline. She stated that it might start as a Phase I series because the report lacked certain pertinent information.

Mr. Ernest Lau stated that the report in itself is not at a point where it should be submitted to the Legislature. He feels that it needs more work.

Dr. Jim Anthony stated that if the working group were to be reconvened and it were to invite some of the public, he would be glad to work with the working group on some of the ideas he as advocated that is acceptable and consistent with Act 152. He said that maybe it should be directed towards tentative terms.

Mr. Ernest Lau suggested possibly an interim product to submit by June 30 and at the next legislative session a final report be submitted.

Dr. Anthony stated that he will submit a report in writing and would like a meeting with the working group to discuss what is in his report.

Chair Nishioka suggested to the Board that Items 6 and 7 be deferred to a later date. Given some advice on the testimony given, will be considered at a later meeting. She then asked for a motion on how to proceed.

Ms. Ellen Kraftsow made a motion to defer the document back to the working group for some improvements, that the group meet again and scope out very clearly by June 30 what those improvements are and that the final report include substantial recommendations for future or additional work.

Dr. Anthony asked the working group to also consider in their motion to take whatever practical steps they can take to elicit and receive comments and have discussions with representatives of interested public.

Given the time frame, Chair Nishioka stated that the working group would take whatever practical steps in having discussions with interested parties.

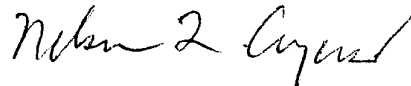
Mr. Ernest Lau seconded the amended motion.

Since there was no other business, Chair Nishioka called for a motion to adjourn.

It was moved and seconded (LAU/KRAFTSOW) to adjourn the meeting.

This meeting was adjourned at 4:07 pm.

Respectfully submitted,



NELSON AYERS
Division of Forestry and Wildlife

APPROVED:



LINNET T. NISHIOKA
Chair

**AGENDA
FOR THE MEETING OF THE
WATERSHED PROTECTION BOARD**

DATE: Tuesday, June 26, 2001
TIME: 10:00 am
PLACE: Kalanimoku Building
Land Board Conference Room 132
1151 Punchbowl Street
Honolulu, Hawaii 96813

1. Presentation of the final draft report and discussion of Act 152.
2. Discussion of future actions pursuant to the final draft report and Act 152.
3. Any other business.

Disabled individuals planning to attend the meeting are asked to contact the Commission on Water Resource Management at the above address or phone (Kauai) 274-3141 ext. 70214, (Maui) 984-2400 ext. 70214, (Hawaii) 974-4000 ext. 70214, (Molokai or Lanai) 1-800-GOV-INHI ext. 70214 or 587-0214 **at least three days in advance of the meeting** to indicate if they have special needs which require accommodation.

01 JUN 20 P 1 34

LEUENIAI GOVERNMENT
OFFICE

TESTIFIER'S SIGN-IN SHEET

PLEASE SIGN YOUR NAME ON THIS SHEET
IF YOU WISH TO TESTIFY

JUNE 26, 2001
(DATE)

PLEASE PRINT!!!


NAME:

CO./AFFILIATION & ADDRESS:

ITEM #

Dr JIM ANTHONY

H-LA / WAIANDLE-WAIKANE COMMUNITY ASSN.



Creighton Matton

Paralel'u

Alenka Romeš

TNCH

Fono CORREA

A.R.C. F. / Na Sui Ola o Heia Kan

Barry Hagawa

Honolulu BWS

David Chen

WWCA -

MINUTES OF THE
WATERSHED PROTECTION BOARD

DATE: June 26, 2001
TIME: 10:00 a.m.
PLACE: DLNR Board Room
Kalanimoku Bldg.

Chair Linnel Nishioka called the second meeting of the Watershed Protection Board to order at 10:08 a.m.

Board Members Linnel Nishioka, Deputy Director, Commission on Water Resource Management; Paul Matsuo, for Director James Nakatani, Dept. of Agriculture; Donna Kiyosaki, for Cliff Jamile, Honolulu Board of Water Supply; Ellen Kraftsow, for David Craddick, Maui County Dept. of Water Supply; Ed Tschupp for Ernest Lau, Kauai County, Dept. of Water Supply; Bruce McClure for Milton Pavao, Hawaii County, Dept. of Water Supply.

Excused: Excused: Alvin Char, U.S. Army, Pacific Command

Staff: Nelson Ayers, Kathy Yoda; DLNR staff

Others: Jim Anthony, Hawaii Laieikawai Association/Waiahole-Waikane Community Association; Creighton Matton, Punaluu; Alenka Remec, The Nature Conservancy of Hawaii; Lono Correa, ARCH, Na Iwi Ola o Heiea Kea; Barry Usagawa, Honolulu BWS; David Chinen, Waiahole-Waikane Community Association.

Chair Nishioka noted that the first order of Business was to place the Minutes of April 19, 2001 Watershed Board Meeting on today's agenda. Motion was made by Paul Matsuo and seconded by Donna Kiyosaki to add the April 19, 2001 Minutes of the Watershed Board meeting to today's agenda. Following a brief review of the April 19, 2001 meeting Minutes, Ellen Kraftsow moved and Donna Kiyosaki seconded the motion to approve the April 19, 2001 Minutes of the Watershed Board Meeting as submitted.

Chair Nishioka asked staff if an oral presentation of the draft report will be made and staff replied none was planned. Chair Nishioka then asked for public testimony and Dr. Jim Anthony was the first speaker to present testimony. He began by voicing his disappointment of staff not making a presentation adding that the draft master plan report to the legislature is still incomplete and needs further work. He pointed out that there was no executive summary, appendices were not numbered, and the text had errors. Dr. Anthony contends that this is a living document that needs to have broader application compared to its present narrow scope. For example, watershed does not begin or end at 60 inches rainfall and there is no mention of a total maximum daily load that the federal clean water act specifies. Also noted, was that the executive summary should include bullet points to aid legislators with their review and understanding of the watershed master plan report. Other points were; 1) funding must be coordinated through a user fee or a water tax that is equitable based on water consumption or he suggested using the hotel room tax as a source, and 2) composition of the Watershed Board lacks a community representation or a technical watershed professional, therefore, adding 2 members to the Board. Dr. Anthony pointed to the military and private water users who must be

held accountable and pay their way for water uses. At this juncture, Dr. Anthony gave specific comments by sections, paragraphs and page numbers. A list of his specific comments were given to Chair Nishioka for simplicity and reference.

Mr. Creighton Mattoon of Punaluu Community Association began his testimony by saying that citizen and community participation is a must in this process. Mr. Mattoon then read a handout that was received by the Board explaining their position and eight points of watershed protection agreed to by the community.

Alenka Remec of The Nature Conservancy of Hawaii spoke of exiting partnerships already established on Maui and that this draft master plan is heading in the right direction. Ms. Remec added that the process to fund projects ought to be simple especially for the existing watershed partnerships. Dedicated funding is a way to further develop model watershed projects and since partnerships already exist, they should be given strong consideration for funding under Act 152.

Lono Correa, Na iwi Ola of Heia Kea supported Dr. Jim Anthony's testimony and added that community involvement was necessary. As he read his testimony, he emphasized the need for direct input of the community living in that ahupuaa where the watershed is located.

Barry Usagawa of Honolulu Board of Water Supply first started by apologizing that staff did not make a presentation on the draft legislative watershed master plan report. He added that the Executive Summary will need to be developed and supported inclusion of bullet statements for the Executive Summary highlighting the important points of the watershed master plan text. He added that the section 5.4 - Implementation, needs to be expanded and that the funding section should look closely at dedicated funding. Page 53, 6.0 Next Steps needs to be completed. Dr. Anthony went over each point from Page 54 Integration and Page 55 Stakeholder and stated that the Board must develop a list of recommendations in the report.

Chair Nishioka suggested asking the legislature for additional funding to do Next Step recommendations. She thanked staff for the work provided to date but it needs further assistance to complete the tasks before June 30. The Board agreed that this is the best approach to completing the Watershed Master Plan as required by Act 152.

Senator Bob Nakata spoke to the Board that the next step should be political base building. Realizing the lack of knowledge with watershed management in Hawaii, he emphasized the need to educate the legislators and having stakeholders contact them about watersheds affecting their community.

David Chinen of Waiahole-Waikane Community Association supported Dr. Anthony's testimony with public representation on the Board, equity with military water uses and the need for public participation.

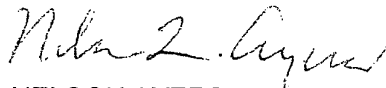
Jim Anthony reiterated that he will support additional funding for completing the report. Chair Nishioka asked the Board where do we go from here. How do we incorporate the changes to the legislature before the June 30 deadline? Paul Matsuo said let staff do the changes. Donna Kiyosaki emphasized the need to include bullets in the Executive Summary and this needs to be highlighted. Chair Nishioka recommended that the Minutes of the Board and public testimony be attached to the appendices of the report. Chair Nishioka suggested that the

Working Group and staff put together the bullet points in the summary and proposed two options for the Board's consideration. Option 1 - do one more Board meeting to approve the final draft with the Working Group meeting to finalize the report or Option 2 - do it now comment by comment by the Board. The Board realizing the short deadline agreed to do Option 1 with working group meeting soon to incorporate recommendations provided at this meeting.

Ed Tschupp moved and Donna Kiyosaki seconded the motion to do Option 1 as recommended. The Board unanimously passed the motion to do Option 1.

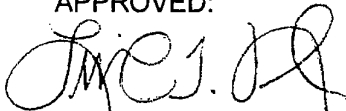
This meeting was adjourned at 4:07 pm.

Respectfully submitted,



NELSON AYERS
Division of Forestry and Wildlife

APPROVED:



LINNEL T. NISHIOKA
Chair

6-26-01

Draft Report does not mention composition of Board despite community representations on this important issue.

Suggest following language:

"Strong representations were made to the Board on the matter of its composition. Spokespersons for community groups drew our attention to the fact that there was neither community representation on the Board nor ^{any} independent technical representation.

We take no position on this matter except to include it in this report for the attention of the Legislature.

p 38 - last paragraph: New language to
replace existing: -

"There are many different approaches to watershed restoration/protection on the mainland. The ^{local} community group retained a mainland consultant who had extensive discussions with our working group on his Bio-Social Ecosystem approach which has been used ~~extensively~~ ^{partly} on the mainland. Jim Kent's Bio-Social Ecosystem model warrants further consideration (Kent, J. 2001).

Another mainland educational consultant was retained by the same ^{local} community group. He also made representations to us on his intentional learning model as an approach to facilitate community education. ~~Intentional~~ Intentional Learning is also an approach that warrants further consideration in our view (see Christensen, J. 2001).

New language in appropriate place:

< military representative on Board should recuse himself on this issue >

"On O'ahu the US Military, ^{a private purveyor of water,} uses some 30.7 mgd of groundwater (14.7% of ~~the~~ total groundwater withdrawal).

The military provides the State with no compensation for this very substantial use of water.

We draw this matter to the attention of the Legislature in part because community groups appearing before us made an issue of it in their representations to us. We transmit this concern to the Legislature without additional comment."

PUNALU`U COMMUNITY ASSOCIATION
P.O. BOX 239
HAU`ULA, HI 96717

June 26, 2001

To: Watershed Protection Board
From: Creighton U. Mattoon, Vice-President
Punalu`u Community Association
Subject: Watershed Protection: Act 152 SLH 200

On April 7, 2001 a workshop on watershed protection was held in Punalu`u, O`ahu with over 40 participants in attendance. Included were presentations on historical, cultural, and political aspects of water; hydrologic and scientific issues with a special focus on O`ahu; streams and surface water with a special focus on Windward streams; watershed protection and restoration; and citizen initiatives. A product of the workshop is a list of positions which the Punalu`u Community Association adopted at a subsequent meeting held on May 8, 2001.

The Punalu`u Watershed Protection Declaration

1. The people of Punalu`u acknowledge the historic, cultural, economic, and spiritual significance of water as an indispensable part of our quality of life experience and declare our commitment to the development and maintenance of water management systems which will enhance the health and well being of all of the people of Hawai`i.
2. We are committed to sound stewardship principles as we participate in the process.
3. We have a right and the responsibility to influence the design and operation of a water management system.
4. We recognize the responsibility of government, agencies, and land owners to participate in the resolution of critical issues and we recognize our responsibility to support, challenge, and be otherwise resourceful to those participants.
5. We expect government, agencies, and land owners to collaborate with citizens to create productive harmony in the environment.
6. We are committed to be intellectually and politically assertive and to be willing to collaborate to create a team approach with the other partnering entities.
7. We are committed to our own learning and capacity building in order to maximize the value and productivity of our input to the process and we expect the same commitment from the other partnering entities.
8. While we acknowledge the complexities of the issues, we declare our intent to seek early resolution to these matters.

AGENDA
FOR THE MEETING OF THE
WATERSHED PROTECTION BOARD

DATE: Thursday, September 20, 2001
TIME: 10:00 am
PLACE: Kalanimoku Building
Commission on Water Resource Management
1151 Punchbowl Street, Room 227
Honolulu, Hawaii 96813

1. Minutes of the June 26, 2001 meeting
2. Presentation of the final report and discussion of Act 152.
3. Approval of the final report.
4. Any other business.

Disabled individuals planning to attend the meeting are asked to contact the Commission on Water Resource Management at the above address or phone (Kauai) 274-3141 ext. 70214, (Maui) 984-2400 ext. 70214, (Hawaii) 974-4000 ext. 70214, (Molokai or Lanai) 1-800-GOV-INHI ext. 70214 or 587-0214 **at least three days in advance of the meeting** to indicate if they have special needs which require accommodation.

MINUTES OF THE
WATERSHED PROTECTION BOARD

DATE: September 20, 2001
TIME: 10:00 a.m.
PLACE: DLNR, CWRM Conference Room
Kalanimoku Building

Board Members	Linnel Nishioka, Deputy Director, Commission on Water Resource Management (CWRM) James Nakatani, Department of Agriculture Ernest Lau, Kauai County, Department of Water Supply Ellen Kraftsow, for David Craddick, Maui County Department of Water Supply Barry Usagawa, for Cliff Jamile, Honolulu Board of Water Supply
Excused	Roy Chagi, U.S. Army, Pacific Command Milton Pavao, Hawaii County, Dept. of Water Supply
Staff	Nelson Ayers
Others	Dr. Jim Anthony, The Hawaii-Laieikawai Assoc. Inc./Waiahole-Waikane Community Association

Chair Linnel Nishioka called the meeting to order at 10:05 a.m.

Nelson Ayers presented the draft Watershed Master Plan to the Board. He stated that the version is the result of the working group's efforts following the June 26, 2001 Watershed Protection Board meeting. The Working Group met at the CWRM conference room to work on finalizing the watershed master plan report. The group systematically reviewed each section of the master plan and made recommendations for improving the contents for submittal to the Legislature. DLNR staff incorporated the recommendations and added to this submittal a public outreach plan that will be used to allow the public to review and comment on the draft watershed report. The draft plan will be posted on DLNR, Division of Forestry and Wildlife web page for review in October 2001. Notice will be placed in the OEQC bulletin and DLNR will also do a Press Release to solicit public comments. Deadline for written comments will be November 23, 2001. All existing watershed partnership groups will be sent notice for their review of the draft plan. Written comments will be compiled and submitted to the relevant subject matter legislative committees by the January 2002 legislative session.

Ernest Lau suggested that after comments have been received by the deadline the working group meet to review the comments before submitting to the legislature and decide whether a response to any or all of the public comments is appropriate. The Board agreed.

Chair Nishioka asked Dr. Jim Anthony if he had questions regarding the draft master plan. Jim Anthony replied that the draft plan has improved considerably but noted he will provide additional comments before the public commenting deadline. He asked for clarification of when the Board "compiles" the public comments. This was in reference to compiling the comments and submitting them to the legislature. He stated the public comments should be submitted unedited to the legislature. There was general agreement on that point.

Dr. Anthony stated that administratively, should the legislature continue Act 152, he recommends that the agency responsible for the coordination be with DLNR, Commission on Water Resource Management and that a watershed coordinator's "position" be created to relieve the administrative burden on DLNR. Chair Nishioka stated that the Department could not support the continuation of the Board without adequate additional funding.

Chair Nishioka thanked Dr. Anthony for his input and stated that all comments will be added to the appendices of the draft plan.

Ernest Lau said that the watershed community groups on the neighbor islands would need to be identified to send public notice for their review. James Nakatani added that the Department of Agriculture would like to receive a list of organizations contacted for this review.

Following a brief discussion, Chair Nishioka asked if the Board would make a motion to approve the draft watershed master plan with the attached public outreach plan. A motion was made by Ernest Lau, seconded by James Nakatani and unanimously passed by the Board to approve the draft watershed master plan with the attached public outreach plan.

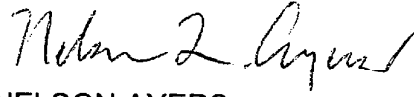
The June 26, 2001 Minutes of the Watershed Protection Board was the last item on the agenda. Following a review of the minutes, James Nakatani moved, Ernest Lau seconded the motion, and the Board approved the June 26, 2001 minutes of the Watershed Protection Board meeting.

Since there was no other business, the meeting was moved by Ernest Lau, seconded by James Nakatani to adjourn the meeting.

Chair Nishioka adjourned the Watershed Protection Board meeting at 10:50 am.

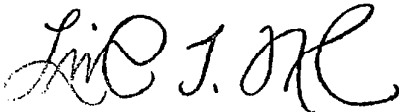
September 20, 2001

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nelson Ayers".

NELSON AYERS
Division of Forestry and Wildlife

APPROVED:

A handwritten signature in cursive script, appearing to read "Linnet T. Nishioka".

LINNET T. NISHIOKA
Chair